

REMARKS

Claims 41 to 43, 45, and 47 to 68 are pending in the application. Claim 56 has been objected to for being of improper dependent form. Claims 49 to 51 stand rejected under 35 U.S.C. §112, second paragraph. Claims 41 to 44, 47 to 52, 55 to 59, and 63 to 68 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Darsow et al. (U.S. Patent 3,960,815) in view of Staniland (U.S. Patent 4,331,798 and Kelsey et al. (U.S. Patent 4,777,235). Claims 45, 53, 54, and 60 to 62 have been objected to as being dependent upon a rejected base claim, and have been indicated to be allowable if rewritten in independent form.

Regarding the objection to claim 56, the Examiner has stated that this claim recites compounds having the SO₂ group that was cancelled from claim 41. Applicants have amended claim 41 to reinstate the sulfone embodiments therein, thereby rendering moot this ground for objection.

With respect to the rejection of claims 49 to 51 under §112, second paragraph, the Examiner has stated that the Ar groups have an OH group, and oxygen is a hetero atom, and all Ar groups in these claims thus have a hetero atom and claim 51 is not possible.

Applicants respectfully traverse this position. The structure recited in claim 41 is as follows:



This structure shows an Ar group having three or more -OH groups. The -OH groups shown are not part of the Ar group but attached to it, and thus are not within the definition of Ar. Applicants are of the position that one of ordinary skill in the art, shown this structure, would understand

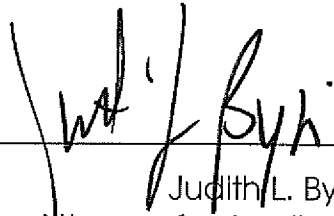
clearly that the phenolic substituents on Ar are not "hetero atoms" included within the definition of Ar when Ar is clearly defined as an aryl moiety or an alkylaryl moiety, especially when the specification clearly states that the Ar group can be either substituted or unsubstituted, and can either have hetero atoms present therein or can have hetero atoms absent therefrom. Accordingly, Applicants respectfully request reconsideration and withdrawal of this ground for rejection.

Regarding the rejection under §103(a), Applicants have amended the claims as indicated to reinstate the embodiments reciting sulfone compounds and to incorporate the limitations of claim 60 into claim 1. The Examiner indicated in the previous Office Action that claim 60 and the claims depending therefrom were allowable over the cited art; accordingly, Applicants believe that this amendment renders the claims in condition for allowance.

Application No. 10/721,140

In the event the Examiner considers personal contact advantageous to the disposition of this case, she is hereby authorized to call Applicant(s) attorney, Judith L. Byorick, at Telephone Number (585) 423-4564, Rochester, New York.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Judith L. Byorick", is written over a horizontal line.

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